

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC

In the matter of:	)	
	)	
Vanity Call Signs in the Amateur Radio	)	RM-11834
Service (Borghi Petition)	)	
	)	
Vanity Call Signs in the Amateur Radio	)	RM-11835
Service (Bail Petition)	)	

**COMMENTS OF REC NETWORKS**  
**AND MICHELLE BRADLEY, KU3N**

1. REC Networks (REC) is a leading advocate for a citizen’s access to spectrum. This includes issues related to the Amateur Radio Service. REC’s founder, Michelle Bradley, KU3N, holds an Amateur Extra class license and has been licensed since 1987.

**A. OVERVIEW**

2. Before the Commission is two separately filed *Petitions for Rulemaking* (“Petitions”). Since both petitions address the same subject, we will address them in a single pleading.

**1. The Borghi Petition**

3. The Petition that was designated RM-11834 was filed by Edward C. Borghi (Borghi) (“Borghi Petition”). The Borghi Petition calls for the Commission to prohibit an amateur vanity call sign from outside his or her call sign district.<sup>1</sup> Borghi cites that licensees should not have to “compete” with “out of area” people for the few “1x2” or “2x1” or “catchy 2x3” call signs

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<sup>1</sup> - Borghi Petition at 1.

available in their area of residence.<sup>2</sup> Borghi would cite the fact that nobody can apply for a “KL” or “KH” call sign unless they live in those respective states.<sup>3</sup>

## **2. The Bail Petition**

4. The petition that was designated RM-11835 was filed by Jeffrey E. Bail (Bail) (“Bail Petition”).<sup>4</sup> The Bail Petition calls for the Wireless Telecommunications Bureau to provide “residential preference” to an applicant “whose listed FCC address is within the same district/region as the applied call sign” in the event of mutually exclusive applications for a specific call sign.<sup>5</sup> Unlike the Borghi Petition, the Bail Petition appears to still allow an applicant that does not have a mailing address in the states covered by a specific call district but it gives priority to residents that are in the same call sign district as the call sign being requested as a vanity call sign.

## **B. DISCUSSION**

### **1. The Vanity Call Sign System**

5. On December 13, 1993, the Commission adopted a *Notice of Proposed Rulemaking* in order to propose a vanity call sign system.<sup>6</sup> On December 23, 1994, the Commission adopted a

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<sup>2</sup> - See *Id.* A “1x2” call sign consists of a single letter, a number and then two letters, such as W1AW; a “2x1” call sign consists of two letters, a number and then one letter, such as KU3N; a “2x3” call sign consists of two letters, a number and then three letters, such as WB6XYZ.

<sup>3</sup> - See *Id.* “KH” call signs (which also include call signs beginning with “AH”, “NH” and “WH”) are primarily assigned to licensed amateurs in Hawaii as various Pacific region territories; “KL” call signs (which also include call signs beginning with “AL”, “NL” and “WL”) are primarily assigned to licensed amateurs in Alaska. While not specifically indicated, call signs beginning with “KP” (which also include call signs beginning with “NP” and “WP”) are assigned to licensed amateurs in Puerto Rico and the U.S. Virgin Islands. Also see 47 C.F.R. §97.19(d)(4).

<sup>4</sup> - Collectively, Borghi and Bail will be referred to as *Petitioners*.

<sup>5</sup> - *Bail Petition* at 1.

<sup>6</sup> - See *Vanity Call Sign System*, Notice of Proposed Rulemaking, 9 FCC Rcd 105 (1993). PR Docket No. 93-305.

*Report and Order* to implement the vanity call sign system.<sup>7</sup> In the *Vanity Order*, the Commission developed a “starting gate” system to address the initial demand for vanity call signs<sup>8</sup>, establish a two-year waiting period before the reassignment of an expired or otherwise cancelled call sign<sup>9</sup> and resume the assignment of call signs to clubs and military recreation stations.<sup>10</sup>

## **2. The availability of the “coveted” 1x2 and 2x1 call signs**

6. According to the database that is maintained by AE7Q (AE7Q Database), which REC considers as a very authoritative database on Amateur Radio vanity call signs that as of April 1, 2019, there are only 40 “1x2” and “2x1” call signs that can be applied for in the ten call districts that comprise the 48 continental United States (CONUS).<sup>11</sup> Because of how short these call signs are, these calls, especially the “1x2” calls are in fairly high demand and sometimes an available call sign can receive many mutually exclusive applications on the day it becomes available for reassignment.

## **3. The Commission has had a long history of allowing vanity call signs to be available freely in the 10 CONUS call sign districts.**

7. In the *Vanity Order*, based on a request by the American Radio Relay League (ARRL), the Commission addressed the issue of restricting vanity call sign requests to the call sign district of the mailing address and denied it citing that the applicant’s choice would be limited to 10 percent of the call signs and that the system can be circumvented by using a mailing address in

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<sup>7</sup> - See *Vanity Call Sign System*, Report and Order, 10 FCC Rcd 1039 (1994) (“Vanity Order”).

<sup>8</sup> - See *Id.* at ¶¶ 5-7.

<sup>9</sup> - See *Id.* at ¶ 11.

<sup>10</sup> - See *Id.* at ¶ 12.

<sup>11</sup> - “1x2” and “2x1” call signs are only available to licensees holding an Amateur Extra class license.

another call sign district.<sup>12</sup> On reconsideration, the Commission upheld their original decision stating:

We still believe that it is unnecessary to impose a rigid correlation between the licensee's mailing address, license class and call sign. Knowing the call sign, an interested party can refer to the Commission's license data base to learn the licensee's mailing address and operator class. A listener, however, has no assurance that any call sign by itself accurately represents either the licensee's operator class or the location of the station. The control operator may hold an operator license grant higher than that indicated by the call sign and the station may be transmitting from any region.<sup>13</sup>

8. In 2010, the Commission revisited the rules for the vanity call sign system.<sup>14</sup> In that decision, the Commission upheld the original decision in the *Vanity Order*.<sup>15</sup> In addition, the Commission also denied a request by the ARRL that would have restricted the assignment of 1x2 and 2x1 call signs to United States citizens.<sup>16</sup>

**4. The petitioners have not indicated a change of events that now makes the issue ripe again**

9. Nine years after the Commission upheld the *Vanity Order* in *Vanity 2*, the petitioners have not demonstrated any changed circumstances that have occurred since *Vanity 2* that should warrant the Commission to revisit this issue. REC's observation along with verification through the AE7Q Database of the processing of amateur vanity call signs demonstrates that 1x2 and 2x1

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<sup>12</sup> - *Vanity Order* at ¶ 10.

<sup>13</sup> - See *Vanity Call Signs*, Order on Reconsideration, 10 FCC 11135, 11136 (1995) at ¶ 7; citing 47 C.F.R. §97.5(d) (A person who has been granted an amateur station license is authorized to use the transmitting apparatus anywhere the amateur service is regulated by the Commission.).

<sup>14</sup> - See *Vanity and Club Station Call Signs*, Report and Order, 25 FCC Rcd. 16351, 16361 (2010) ("Vanity 2") at ¶¶ 35-37.

<sup>15</sup> - See *Id.* at ¶ 36.

<sup>16</sup> - See *Id.* at ¶ 37.

call signs are routinely granted and as mentioned *supra*, the AE7Q database shows 40 call signs that are currently available as of April 1, 2019.<sup>17</sup>

## **5      Proposals will discriminate against U.S. military personnel and members of the U.S. Foreign Service**

10.      In addition to mailing addresses in the 50 United States, the District of Columbia and other territories, there are 690 licensees who are either military personnel and employees and contractors of the U.S. Government that are served by an Army Post Office (APO), Fleet Post Office (FPO) or Diplomatic Post Office (DPO). Because APO, FPO and DPO addresses use their own state codes depending on the region of the world they are located (AA, AE, AP), those addresses are not connected to any specific call sign region.<sup>18</sup> Under the Borghi petition, these persons would be completely restricted from participating in the vanity call sign program while the Bail petition will permit them to participate but at a lower priority than someone “state side”.

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<sup>17</sup> - In the *Borghi Petition*, Borghi gives Call District 2 (New York and New Jersey) as a reason why call signs should not assigned to amateurs outside of that reason. According to the AE7Q Database as of April 1, 2019, there are 12 available 2x1 call signs in this district that can be obtained upon application.

<sup>18</sup> - See also *Vanity 2* at note 74.

## C. CONCLUSION

11. Like with any other limited resource, there is a limited availability. It is a simple rule of supply and demand. The reality of life is that people pass away or they lose interest in the hobby and fail to renew their operator licenses. This means that the supply of spare call signs is slowly being replenished. As demonstrated by the AE7Q Database, there are currently 40 available vanity call signs that are either 1x2 or 2x1. With a little patience, any Amateur Extra class licensee can obtain a 1x2 or 2x1, even though some combinations may be more difficult. The Commission has already dismissed three requests to not restrict the 10 call districts to only licensees in the region of the call sign and since *Vanity 2*, the petitioners have stated no specific changed circumstances that warrants yet another revisit of the rules. The proposed restrictions also do not recognize those who may live near state borders and they get their mail from the adjacent state. It also does not recognize licensees physically located outside the United States including those who are risking their lives in our military and in the Diplomatic Corps. As there has been no changed circumstances since this issue was last revisited, it is REC's position that the Commission not move these two petitions forward for a new *Notice of Proposed Rulemaking*.

Respectfully submitted,

/S/

Michelle Bradley, KU3N  
Founder  
REC Networks  
11541 Riverton Wharf Rd  
Mardela Springs, MD 21837